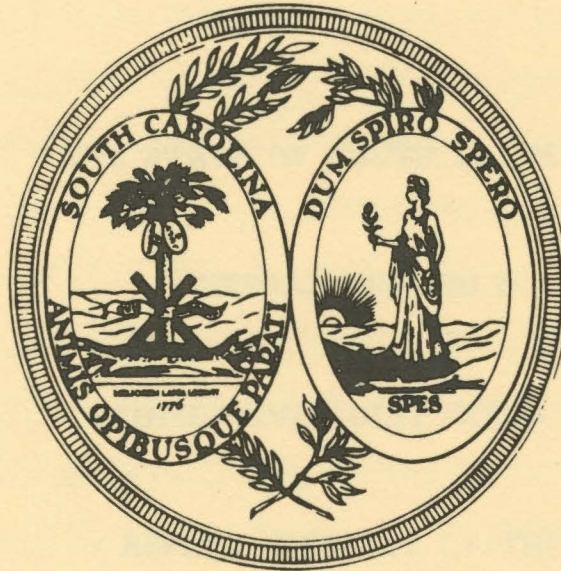


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South Carolina General Assembly



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The State of South Carolina
General Assembly
Legislative Audit Council
Report Summary of the
Study and Review of
Prison Overcrowding
in South Carolina
September 14, 1982

THE STATE OF SOUTH CAROLINA

GENERAL ASSEMBLY

LEGISLATIVE AUDIT COUNCIL

REPORT SUMMARY OF THE

STUDY AND REVIEW OF

PRISON OVERCROWDING

IN SOUTH CAROLINA

REPORT SUMMARY

Introduction

The Legislative Audit Council was requested by the Chairman of the State Reorganization Commission to conduct a study of the State criminal justice system, specifically as it relates to problems of prison overcrowding, staff overload, and cost-effectiveness. The study was requested because of the serious and unabated crowding problem in South Carolina's prisons since the mid 1970's.

This study was designed to identify the nature, causes and implications of prison overcrowding and to develop recommendations for improvement without compromising public safety and without creating an additional financial burden to the State. To develop an understanding of these problems and a plan for study, interviews were conducted with various agency heads, or their appointed representatives. The agencies involved in these discussions were the Departments of Corrections, Parole and Community Corrections, Juvenile Placement and Aftercare, Youth Services, and the Offices of the Governor, the Attorney General and the Court Administrator. Also interviewed were the Chief Justice of the Supreme Court and the Executive Director of the S.C. Alston Wilkes Society.

The Audit Council wishes to thank SCDC Commissioner Leeke and his staff for the extraordinary help and cooperation received throughout the conduct of this study. Requests for information, numerous and often time-consuming to fulfill, were met promptly and courteously by SCDC staff in all divisions, from planning to community programs. The following invaluable assistance was provided for the inmate survey:

computer programming and analytic support, inmate tracking and interviewing at facilities across the State, and assistance in data collection from computerized and paper files. The capacity survey was supervised by administrative staff for institutions and carried out by the wardens at each institution.

The report contains a background section and five chapters, and is available under separate cover from the Audit Council. The first chapter provides an examination of prison overcrowding in South Carolina as compared to the rest of the country. Incarceration rates are presented and the relationship between crime and incarceration is discussed. Results of a survey of all Department of Corrections' (SCDC) institutions, which describe the nature and extent of overcrowding in the State, are reported. The second chapter reports the results of an Audit Council survey of the offender population. This study was designed to present a profile of FY 80-81 SCDC admissions, in terms of risk to the community. The SCDC system of inmate classification is evaluated, and the costs of incarcerating low risk and property offenders are shown. In Chapter III, a discussion of standards and litigation pertaining to prison overcrowding in South Carolina and the nation is presented. The S.C. Department of Corrections prison population projections, plans for capital construction and an analysis of fiscal implications are discussed in Chapter IV. Chapter V reviews legislative options and recommendations for reducing prison overcrowding. Major issues found in each chapter are summarized below.

CHAPTER I
OVERVIEW OF PRISON CROWDING IN SOUTH CAROLINA

(1) In the last decade, the SCDC prison population has nearly tripled (p. 11). Between FY 70-71 and FY 80-81, the number of prisoners under South Carolina Department of Corrections' jurisdiction increased from 2,859 to 8,078. The costs of operating the system rose from approximately \$5.5 million to \$48.4 million over the decade. Since resources failed to keep pace with this rapid growth, overcrowding has become a major problem.

(2) The incarceration rate in South Carolina has been the highest (or second highest) in the country since 1976 (p. 11). The rate of incarceration climbed from 118 per 100,000 in 1971 (ninth highest in the country) to 230 per 100,000 in 1976 (highest in the country). By December 1981, the rate was 253 per 100,000, (tied for number one with Nevada). The proportion of South Carolina citizens in prison relative to its population is 76% higher than the national average, and 25% higher than the average for the South.

(3) There is no evidence that South Carolina's high incarceration rate is either controlling or reducing the crime rate (p. 16). The Audit Council studied the nine states with crime rates closest to South Carolina's in 1971. All ten states maintained crime rates below the national average from 1971 to 1980. If a policy of high incarceration controls crime, we would expect to find high incarceration rates in these states with low crime rates. Yet, the incarceration rates varied widely with North Carolina ranking number one in 1980 and South Carolina number two, to Minnesota, which ranked 48th nationally. Independent of incarceration

policies, the crime rates of these ten states remained fairly stable relative to the national average.

(4) South Carolina prisons are the most overcrowded in the country (p. 18). In 1980, South Carolina had a greater percentage of inmate population exceeding capacity of the system than any other state. An Audit Council survey of the 24 SCDC institutions on September 15, 1981, revealed the following: (1) SCDC institutions were operating at 134.4% of design capacity; (2) 95% of the inmate population were confined in "high density units" and over 50% were housed in units with less than 40 square feet of floor space per inmate; and (3) 90% of the inmates were housed in "crowded confinement units." For example, of the 3,483 inmates housed in units designed for one, 18% were triple-bunked and 60% double-bunked. Of the 2,416 inmates housed in multiple occupancy units, 64% were housed in crowded units with over 50 inmates.

CHAPTER II

OVERINCARCERATION AND UNDERINCARCERATION

IN SOUTH CAROLINA

Prisoners admitted to SCDC in FY 80-81 were assessed based on the likelihood that they will recommit crime upon release, and on classification assignments to institutions and levels of custody. Inmates posing a low risk to the community were found to be comparable to offenders on probation, suggesting that the State "overincarcerates" less seriously criminal offenders. The costs of incarcerating low-risk and property offenders were compared to costs of intensive probation. The possibility of "underincarceration" of career and violent criminals

was assessed also, due to the fact that the Habitual Offender Act is seldom, if ever, used to prosecute such criminals.

(1) A savings of \$10.4 million¹ could have been realized by placing low-risk incarcerated inmates admitted in FY 80-81 on intensive probation (p. 45). Approximately 17% of the 5,511 FY 80-81 admissions to SCDC, or 937 offenders, are projected to present a low risk to the community and to have a high potential for parole adjustment. Each of the low risk inmates in a sample of FY 80-81 admissions was "matched" to probationers on the basis of race, sex, criminal offense and history, suggesting that the low risk inmate group is comparable to individuals on probation. Not only could operating costs have been saved by placing this group on probation, but also payments could have been made to victims and/or the State, and less direct savings realized through taxes and support of dependents. Some criminal justice administrators suggested that a lack of confidence in probation supervision has contributed to the incarceration of minor offenders in the State. The effectiveness of probation supervision was not evaluated, due to the recent reorganization of the Department of Parole and Community Corrections, and the planned implementation of a model management system, with components for cost, clients, workload and information.

¹ Actual savings realized would depend on factors such as whether institutions could be closed or new institutions not needed; the average per-inmate cost of \$6,489 in FY 80-81 includes indirect (administrative) costs.

These potential savings are not mutually exclusive of those connected with the cost of incarcerating larceny offenders, (p. 6). Approximately 20% of the low-risk inmates discussed above are larceny offenders; potential savings for this group appear in both analyses.

(2) The cost of incarcerating larceny offenders convicted of stealing \$2,000 or less, in money or property, as their most serious offense outweighs the loss to victims 20 to one (p. 49). The cost of incarcerating the 1,340 larceny offenders admitted in FY 80-81 with victim loss of \$2,000 or less is estimated to be approximately \$12.5 million. Intensive probation costs for this group would have been approximately \$2.7 million. Approximately 75% of these offenders are estimated to have a medium or high probability of parole adjustment; savings of \$8.5 million² could have been realized by placing this group on intensive probation, rather than in prison.

(3) SCDC underclassifies inmates in assignments to institutions and custody levels (p. 37). The Audit Council compared initial classification decisions made by SCDC to recommendations based on a model assessment. SCDC assigned to minimum level custody 33% of the model's assessed maximum custody and 70% of its medium custody inmates. This suggests placement of seriously criminal inmates with the less serious. Courts have required classification procedures, in part to ensure inmate safety and separation of non-violent inmates from the more predatory. SCDC does not maintain summary statistics relative to institutional violence, and has not assessed whether overcrowding and underclassification have affected the level of violence. Two factors appear to have contributed to underclassification: the shortage of medium-security bedspaces, and the lack of complete and accurate information upon which classification decisions are made.

²See footnote, p. 5.

(4) South Carolina has no effective habitual offender policy³ (p. 58).

The use of State prison resources is most necessary in the case of habitual criminals, yet the statute §17-25-40 (repealed in May 1982) designed to ensure long-term incarceration for this type of offender was seldom, if ever, used. The Audit Council estimates that although approximately 60 or 8.4% of the 720 serious felony offenders incarcerated in November 1981, had qualified, none were actually prosecuted under the Act. The purpose of the Act revision (R438), passed in May 1982, was to broaden applicability and to provide harsher and more consistent penalties for habitual offenders. The revision, however, further narrows the scope of the Act. The estimated number of eligible offenders incarcerated in November-December 1981 dropped from 60 under §17-25-40 to 42 under the revision (R 438). The need for an effective and consistent State policy regarding career criminals has not been addressed.

CHAPTER III

PRISON STANDARDS AND LEGAL IMPLICATIONS

The most significant judicial movement since the civil rights and criminal procedure decisions of the 1960's has been the wave of prison litigation in the past half decade. Inmates rely heavily on the Fourteenth Amendment and the Civil Rights Act of 1871 in bringing suits in Federal court which allege violation of their constitutional rights. One out of

³A policy which increases the average time served by habitual offenders will necessarily increase the demand for prison bedspace, thereby increasing incarceration costs.

every five cases filed in Federal courts today is by or on behalf of prisoners.

(1) No longer restricted by the "hands-off" doctrine, Federal courts will review and rule on operations of state penal systems (p. 62).

Prior to the 1970's, Federal courts were reluctant to interfere in the daily administration of state penal systems. In the late 1960's, this "hands-off" doctrine began to give way to the view that inmates retain all the rights of ordinary citizens except those expressly denied by law. The courts began limited intervention in cases where particular conditions violated the Constitution.

A 1970 case first espoused the "totality of conditions" approach, allowing the courts to aggregate conditions which, standing alone, may or may not be constitutional violations. The courts use the Eighth Amendment ban on cruel and unusual punishment to hold entire prisons, rather than specific conditions, unconstitutional.

The Eighth Amendment definition of cruel and unusual punishment has been expanded from early interpretations, which prohibited only excessive physical abuse, to include an examination of the nonphysical aspects of punishment as well as the general conditions existing at an institution. By requiring more than "cold storage" of inmates and by including such considerations as an inmate's ability to attempt rehabilitation or to avoid physical, mental, or social deterioration, Federal courts have become involved in areas once considered solely within state discretion.

(2) Compliance with broad remedial orders might force appropriation of additional funds or release of the convicted (p. 66). Some courts have taken a limited remedial approach by ordering prison officials to submit

proposals to correct unconstitutional conditions. However, others have taken a more active role by establishing minimum standards, ordering implementation, and retaining jurisdiction to ensure compliance. For example, a supplemental appropriation of \$105.6 million in capital outlay and \$18.4 million for one year's operational expenses was required to bring the Louisiana prison system into compliance in 1977. Courts have also used the threat of release or the actual release of inmates to ensure the legal quality of prison conditions. In doing so, the state is allowed to make a practical choice between providing constitutionally acceptable conditions or resigning itself to mass release of inmates.

(3) Pursuing accreditation based on recognized standards may aid penal systems in meeting constitutional requirements (p. 69). The expanded role of the judiciary in the field of corrections has highlighted the need to develop specific self-regulatory standards. The ACA Commission on Accreditation for Corrections has developed a set of standards as the basis for its voluntary accreditation process, which provides criteria for assessing the safety and well-being of staff and inmates. Voluntary accreditation has been pursued by many states not only to improve institutional conditions, but also in the event of court action, as evidence of a good faith effort to comply with acceptable standards. South Carolina has chosen to pursue accreditation under these ACA standards, on a limited basis.

CHAPTER IV
THE SCDC PRISON POPULATION PROJECTIONS
AND CAPITAL IMPROVEMENTS PLAN

South Carolina's prison system is the most overcrowded in the country. SCDC estimates that without significant policy changes, the prison population will almost double by FY 92-93. Such an increase would require nearly half a billion dollars in capital construction prior to 1990, including fourteen new prisons, to adequately house all inmates. Moreover, the long-term financial commitments associated with prison construction are far greater. One new medium security prison (528 beds) built in FY 82-83 would cost approximately \$24.6 million to construct, and approximately \$383.3 million to operate over 30 years. The long-term (30-year) operating costs to support \$458 million in new prison construction would amount to over \$7 billion. Prisons, then, are a scarce and costly State resource.

Creating new prison bedspace could be unnecessary (p. 89). The assessment of future prison bedspace needs must be made very carefully, since: (1) the average time lag between approval of a new prison and its opening is five years; (2) a decline is predicted in prison populations after the 1980's, due to the maturation out of crime-prone years of the "baby-boom" generation; (3) studies have suggested that new construction is likely to further, rather than alleviate, overcrowding problems; and (4) the long-term burden on the taxpayer is so great. The impact of the 1981 Parole and Community Corrections Act and of implementation of sentencing guidelines on the future prison population is, as yet, unknown. Proposals for increased use of punitive community sanctions as

alternatives to incarceration may also be implemented, reducing the need for prison bedspace. The appropriate level of incarceration in the State, based on considerations of need, cost-effectiveness and conformity to national standards, should be determined prior to approval of construction to increase SCDC bedspace.

CHAPTER V

LEGISLATIVE OPTIONS TO REDUCE PRISON OVERCROWDING

A variety of mechanisms and approaches to the problem of prison overcrowding is being considered and tried throughout the country, with varying levels of success. Twenty legislative options for reducing prison overcrowding are reviewed in this chapter. Each alternative is explained and a report provided on the status and feasibility of implementation in South Carolina.

(1) Options That Affect Who Goes To Prison (p. 92)

Three major approaches to reducing the number of offenders who go to prison include (a) providing alternative sanctions to incarceration, (b) implementing sentencing guidelines and (c) restructuring State/local responsibility, such that the jurisdictional responsibility of localities for lesser offenders is increased.

- (a) Alternative Sanctions: The use of alternative sanctions could be increased, due to the high number of lesser offenders incarcerated, at a significant savings to the State (p. 92). Such sanctions include intensive probation supervision coupled with requirements to pay fines or restitution, to provide community service work, or to serve time in local jails "intermittently," i.e., on weekends,

evenings or vacations. Also included are commitment to residential community facilities, allowing offenders to gain and/or maintain employment, and to pay for room and board, fines and/or restitution. All of these alternatives are used in South Carolina, but to a very limited extent.

- (b) Sentencing Guidelines: To reduce overcrowding, sentences must prescribe community alternatives for a greater proportion of offenders, and/or be reduced in length (p. 116). Sentencing guidelines provide a recommended sentence or range to the judge, based upon offender and offense characteristics, and are designed to reduce sentencing disparity. Efforts by the recently-appointed Sentencing Guidelines Commission to develop guidelines in South Carolina are underway, and are planned for review in July 1983 by the General Assembly. The effect they will have on prison admissions is unknown; although there is no mechanism built into the guidelines to consider prison capacity, as has been done in states such as Minnesota, the Commission has formally recognized the importance of prison capacity as a factor in the development of guidelines.

- (c) Restructure State/local jurisdiction: It is unlikely that an increase in local jurisdiction from three months to one year would alleviate State prison overcrowding (p. 118). Localities in South Carolina have one of the shortest jurisdictions over lesser offenders in the country - three months or less. Most states assign localities responsibility for offenders with sentences of one year or less, thereby allocating more extensive State correctional resources to offenders with longer terms. Localities are housing over 550 SCDC

inmates with sentences of over one year in "designated facilities." These inmates are held at no cost to the State, for use in local work projects. Excess local bedspace is very limited. Such a jurisdictional change can be expected to result in a "quid pro quo" situation in which localities would return inmates in designated facilities with sentences of over a year to SCDC, in exchange for a comparable number of inmates, currently housed by SCDC, with sentences of a year or less. With the projected increase in diversion programs, more local bedspace may become available, permitting an increase in local jurisdiction. The provision of incentives to localities to house an increased number of SCDC inmates is recommended, in the interim.


(2) Options that Affect Length of Stay in Prison (p. 132)

Recommendations based on review of alternatives to reduce length of stay in prison follow:

- (a) Revise the Penal Code (p. 132) to eliminate obsolete penalties, reconcile inconsistent penalties, and decrease opportunities for arbitrary action.
- (b) Review sentence lengths (p. 135) in accordance with standards proposed by the American Bar Association.
- (c) Consider the adoption of "presumptive parole" (p. 136), i.e., shifting the burden of proof from the inmate to show cause for parole release, to the State to show cause for denying parole on first eligibility, (particularly for non-violent offenders).

(3) Options That Affect System Capacity (p. 141)

The most direct method of controlling prison crowding involves two of the three options reviewed in this section. These are the estab-



lishment of standards and capacity limits for facilities, and the adoption of emergency overcrowding measures.

- (a) Capacity limits allow maintenance of a desired level of incarceration based on efficiency, need and conformity to national standards (p. 143).

Limits could be established based on the design capacity of each institution or on the allocation of a minimum amount of living space per inmate. Among the findings supporting establishment of such limits is the "self-fulfilling prophecy" of prison construction - building new prisons may perpetuate overcrowding problems. Enforced limits would control this process.

- (b) The implementation of emergency overcrowding measures is necessary when correctional facilities reach or exceed capacity limits (p. 144).

Proposed legislation in South Carolina would authorize the Governor to declare a prison overcrowding state of emergency, when population exceeds capacity limits for more than 30 days. In such a situation, the release date of nonviolent offenders would be advanced by 90 days, until population is reduced to 100% of design capacity.

Adoption of these two measures does not preclude expansion of the prison population since the supply of bedspaces can be increased in light of need. They do allow the State to formalize policy regarding use of this expensive and scarce resource.



south carolina department of corrections

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TELEPHONE (803) 758-6444
WILLIAM D. LEEKE, Commissioner

September 7, 1982

Mr. George L. Schroeder, Director
Legislative Audit Council
620 Bankers Trust Tower
Columbia, SC 29201

Dear Mr. Schroeder:

Members of my staff and I have reviewed the draft of your report on the Overcrowded Prison Problem in South Carolina. We consider it to be thorough and professional, and we would like to express our general concurrence with its findings. At the same time, we find it necessary to identify some points which we feel need further elaboration. Those areas of concern are discussed below. We request that these comments be attached both to the summary and to the complete report when they are published.

In your introduction, it is stated, "The SCDC system of inmate classification is evaluated..." Chapter II, Sub-Heading (3), concludes that, "SCDC underclassifies inmates in assignments to institutions and custody levels..." Actually your report does not evaluate our system of inmate classification or that of any other state. Instead, our inmate assignments are compared to a hypothetical model developed for the National Institute of Corrections. It could easily be incorrectly inferred that we are permitting high risk inmates to be inadequately supervised at the expense of public safety and/or that more aggressive inmates are being inappropriately placed with less serious offenders. Yet there is no evidence to bear this out. On the contrary, your own findings indicate that our escape rate is lower than that of the other Southern states.

We are limited in our flexibility to assign inmates to more restrictive levels of confinement by lack of bedspace. Your study noted that, "Medium security beds are shown to be nearly 40% more expensive to construct than minimum security beds, and twice to three times as expensive as beds in work release and pre-release centers." It is also necessary to utilize a higher employee to inmate ratio in medium security prisons, thereby increasing personnel costs. In short, it would be tremendously expensive for South Carolina to adopt an inmate classification system based on the one your report used as a model. Prior to recommending such a course of action, it would be well to determine whether in fact there is any reason to label our present inmate classification system as unsatisfactory and what the fiscal implications would be both in construction and personnel costs.

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APPENDIX A (CONTINUED)

Mr. George L. Schroeder
September 7, 1982
Page Two

Related to the issue of classification, your report stated that, "SCDC does not maintain summary statistics relative to institutional violence and has not assessed whether overcrowding and underclassification have affected the level of violence." While we have not had adequate personnel or resources to gather and analyze detailed statistical information, we do have narrative reports on all serious incidents, including acts of violence. These were made available to your staff to examine and could have been evaluated for whatever statistical information you wished to capture. Although your report is technically accurate in stating that, "Evaluation of the level of institutional violence by SCDC is thus a subjective or impressionistic process...", it should be made clear that all violence is reported and monitored closely at all agency levels. Additionally, the regional administrators and division directors who supervise the wardens monitor even minor incidents on a daily basis. Any known act of violence is immediately responded to by institutional personnel. It should be noted that most of the violence occurs at medium and maximum security institutions. This has further significance if it is being suggested that more of our minimum security inmate population should be housed in medium security facilities. It is our opinion that a classification system based on the one your report used as a model would certainly not decrease the level of violence in institutions. However, it seems logical that ameliorating the overcrowded conditions would very likely lessen the propensity to violence among inmates.

While it is acknowledged that the Habitual Offender Act has not thus far been widely used, we feel your report does not go far enough in emphasizing that increased use of this Act would exacerbate the overcrowded conditions. Any proposal to expand the application of the Habitual Offender Act must be costed out prior to implementation. It would be irresponsible state policy to accelerate the prison population further without making provisions to house, care for, and control the larger numbers which would result.

Finally, we must take issue with your conclusion that, "Creating New SCDC Bedspace Could be Unnecessary." It is our assumption that your intent is to have the General Assembly and the Governor determine "...the appropriate level of incarceration in the State..." and that all other considerations would then be secondary. We have no disagreement with such a philosophy. We must state strongly, however, that we cannot wait for additional study prior to approval of adequate bedspace, personnel, and other resources needed to manage the present and immediately projected inmate population. Capital improvement projects which have already been approved and tentatively approved must go forward on schedule. Previous delays have resulted in bedspace supply lagging further behind demand while inflation has caused the Department of Corrections not to be able to complete facilities with funds allocated for this purpose.

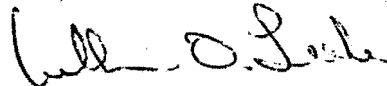
APPENDIX A (CONTINUED)

Mr. George L. Schroeder
September 7, 1982
Page Three

It would be unthinkable to ignore the crisis situation in which we currently find ourselves. We certainly do not advocate building more institutions than are needed, and we do not argue against the so-called "self-fulfilling prophecy." Nevertheless, we cannot reiterate strongly enough the desperate need for more immediate relief which will come only after facilities which have been approved or requested are constructed.

Again, we commend you and your staff on the thoroughness and professionalism of your study on the Overcrowded Prison Problem in South Carolina. With the amplification of those points discussed above, we believe this report will be an invaluable tool for the policy makers of South Carolina to use in facing this critical issue within the criminal justice system.

Sincerely,

A handwritten signature in dark ink, appearing to read "William D. Leeke", written in a cursive style.

William D. Leeke

WDL:cha

APPENDIX A (CONTINUED)

South Carolina Department of Parole and Community Corrections

HON. WALTER D. TYLER, JR.,
CHAIRMAN
DISTRICT SIX

HON. JOHN E. HUSS, D.D.
DISTRICT ONE

HON. RHETT JACKSON
SECRETARY
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HON. CHARLES R. SANDERS, JR.
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DISTRICT THREE

HON. MARION BEASLEY
DISTRICT FOUR

HON. LEE R. CATHCART
DISTRICT FIVE

ADDRESS: 2221 DEVINE ST.
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COLUMBIA, S.C. 29250

September 8, 1982

Mr. George L. Schroeder, Director
Legislative Audit Council
620 Bankers Trust Tower
Columbia, South Carolina 29201

This letter is intended as our comments concerning your review of the state's system of corrections, probation, parole, and other related aspects of the criminal justice system. I would like to commend you and your staff for your excellent work in this endeavor and the accurate way you have presented your findings as a result of the study.

A number of concerns were reported to your staff at the time these documents were reviewed, and changes have already been made concerning these concerns; therefore, we will not elaborate on them any further. However, we still have a few concerns with this report, and we will endeavor to point them out at this time for your consideration. We realize that some of these are only semantics; however, we feel strongly about them and feel it our duty to raise these points.

Summary:

We found that there is a cross use of the words "probation and parole". As you are aware, these are two distinct functions within the criminal justice system, and we feel, in a report of this nature, they should be correctly used. It was also noted that the records of Larceny offenders were used in some comparisons; however, there was no indication whether a check was made concerning any prior record these offenders might have. It is one thing to say individuals are committed to the Department of Corrections in large numbers for the offense of Larceny; however, that only tells part of the story with repeat offenders.

APPENDIX A (CONTINUED)Report:

Page 14 - On this page, you talk about non-violent offenders, as related above with regard to Larceny; and there is no indication to prior records of these individuals, which again plays an important part in their selection in one program as opposed to another.

Page 51 - Last paragraph, you are using parole adjustment as a result of a scoring instrument which is understood; however, we feel it would be better that you would use "community adjustment" since you are really referring to the pre-sentencing stage of an offender's sentencing process according to the scoring instrument of adjustment.

Page 95 - You indicate that the \$120.00 per year is paid by the offender for the cost of supervision; however, you do not indicate that these funds go directly to the General Fund and do not come directly to us.

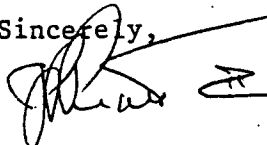
Page 110 - It is indicated that nine halfway houses might be utilized in our implementing parts of the Community Corrections Act. It should not be indicated or implied that we necessarily intend to, as a part of the Community Corrections Act, construct a network of halfway houses to be operated by this agency. At the present time, we intend to utilize these types of facilities already in operation by the public and private sector if at all possible.

Page 118 - The California Probation Subsidy Program is mentioned as an alternative. However, it is our understanding that this program in California is not succeeding in the manner earlier indicated.

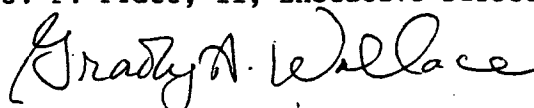
Page 134 - You have the offense of Burglary listed, and we understand why it is listed in this fashion. We feel that, since this is a South Carolina report, that the legislature, criminal justice agencies, and the general public would better understand this if it were listed as Housebreaking or some notation be made concerning this difference. Burglary, as used in your report, is taken from the offense category of NCIC and will mean a different thing to the people of this state.

As previously stated, our compliments to you and your staff concerning this endeavor and report. We sincerely hope that this will be of great use to you in dealing with these problems.

Sincerely,



J. P. Pratt, II, Executive Director



Grady A. Wallace, Commissioner

JPP,II:sfb